

Geneva opening postponed until Friday: Kissinger due in Israel today

By DAVID LANDAU
Jerusalem Post Diplomatic Correspondent
Waiting for Kissinger.
Israel today, from the Prime Minister to the man-in-the-street, is waiting for the U.S. Secretary of State, due at Lod this afternoon, to learn whether he can produce solutions to the last-minute problems that have arisen prior to the Geneva conference.
The Cabinet met for five hours on Friday to prepare for the Secretary's visit, and for the peace conference that is hopefully to follow. "The discussion was not concluded," the official communiqué recorded, and the ministers will convene again this morning.
Reports from Damascus meanwhile quote U.S. officials accompanying Dr. Kissinger as saying that the Geneva talks may be delayed "a day or so."
And in New York a UN spokesman announced that Secretary-General Kurt Waldheim had cancelled tentative plans to leave last night for Geneva.
Later last night, Egyptian Foreign Minister Ismail Fahmy announced in Cairo that the conference, due to open Tuesday, had been postponed until Friday, December 21.
Ministers and senior officials in Jerusalem admitted they were worried by developments concerning the problem of the "auspices" of

the Geneva conference. They were particularly worried by the apparent erosion of U.S. opposition to the demands that the conference be held under UN or Security Council auspices.
Earlier in the week, the government had been confident the U.S. — and the Soviet Union — would remain firm in their original intention that they and they alone grant their joint auspices to the conference, and that their representatives, in rotation, chair its sessions.
WALDHEIM
The Arabs on the one hand, and the Europeans and non-aligned nations on the other, were pressing for a more important role for UN Secretary-General Kurt Waldheim than that of "observer" or "participant" that the superpowers had originally assigned to him.
But on the basis of its ongoing contacts with Washington, Jerusalem was confident these pressures would be resisted. When word came, first from New York and later from Damascus, that the U.S. would agree to Dr. Waldheim's chairing the opening session, there was uneasiness in Jerusalem. But there were assurances that after the opening session, the Secretary-General would step aside and the superpowers take over — and so, reluctantly, Israel agreed.

As the week progressed, however, the U.S. position seemed to erode further. The "auspices" problem was holding up delivery of the formal invitations to Geneva. Texts were circulated. Israel and the Arabs lodged their separate objections. Israel demanded the invitation define the conference as aiming at peace, not simply withdrawal or implementation of UN resolutions. Washington's support for Israel's position on the invitation also appeared to wane — and this was another cause for concern in Jerusalem.
U.S. abstention (along with the other Permanent Members) from the Security Council vote last night (see page 2) added further uncertainty. Officials could only reiterate that they looked to Dr. Kissinger to explain everything when he arrived.
INTERFERENCE
A conference under UN or Security Council auspices is not at all what Israel had in mind when it assented in principle to Dr. Kissinger's oral invitation to Foreign Minister Eban to come to Geneva. UN auspices might entail the frequent interference of the Security Council, or perhaps even of the General Assembly itself. It might perhaps entail the introduction of a Palestinian delegation. And, above all, it would mean that the conference would not after all be the

Israel-Arab dialogue on peace to which Israel has always aspired, but merely another UN forum where decisions would be taken or resolutions passed by the votes of parties not themselves involved in the conflict.
President Sadat seems to anticipate precisely that format. In a statement over the weekend which added to Jerusalem's anxieties — he said that at Geneva Egypt and Israel would not be speaking directly to each other, even though they would be sitting in the same conference chamber (see below). They would speak to the chairman — just like at the Security Council itself.
The Israel Cabinet has deep reservations over the Geneva conference under these conditions. If it does decide — this morning or after the meetings today and tomorrow with Dr. Kissinger — in favour of Israel participation, the decision will in effect be conditional: to attend the conference on the condition and on the understanding that it will not turn into "just another UN forum." If it does — then Israel will have to consider its position.
The formal auspices of the conference need not necessarily dictate its procedure in practice, knowledgeable observers point out. The Israel-Egypt dialogue in the tent at Kilometer 101 was nominally un-

Soldier dies in Suez front

Jerusalem Post Reporter
A Jewish soldier was killed on the Suez front when Egyptian forces fired about one kilometre from the Israeli position on the Suez Canal. It was announced on Friday that the soldier, a 21-year-old reservist, was killed by a shell fired from an Egyptian position. The soldier was part of a unit that was engaged in a battle with Egyptian forces in the Suez Canal area. The unit was ordered to retreat after sustaining heavy casualties. The soldier's death was the first of its kind in the Suez Canal area since the start of the conflict.

Reserves to stay mobilized but will get more pay, leave

By ZEEV SCHUL
Jerusalem Post Military Correspondent
TEL AVIV. — The army plans to maintain a high state of preparedness along the cease-fire lines until a genuine disengagement takes place and peace negotiations begin. Chief of Staff David Elazar told military correspondents here yesterday evening.
Reservists may expect to serve at least an additional two and a half months, he said, adding that to ease their lot their pay would be substantially increased from IL500 for a single soldier to IL675 for a man with two children — and they would get longer periods of leave.
Rav-Aluf Elazar said the enemy might attempt to change the present cease-fire lines before or during the forthcoming Geneva peace conference. "We will continue to remain at full strength in order to foil all such attempts involving the use of force."
In listing the steps being taken by the army to lighten the burden on reservists, such as pay increases and loans for the self-employed, the Chief of Staff said attempts would also be made to distribute front line duties more evenly.
The army's training command is now fully geared to training new recruits and other reinforcements to bolster the ranks of the active service units.
Rav-Aluf Elazar denied that front line army morale was low. "It is certainly higher than in the rear. The men understand that peace

ADVANCE

Arms also fired at Egyptian positions to advance their front line. At 10.30 a.m., Egyptian forces fired at Israeli positions in the Suez Canal area. The Israeli forces returned the fire. The battle continued until 4.30 p.m. when the Egyptian forces withdrew. The Israeli forces advanced their position by about 100 metres. The battle was the first of its kind in the Suez Canal area since the start of the conflict.

Mart differences on support for Arabs

Oil boycott 'could boomerang'
COPENHAGEN. — Common Market leaders yesterday wound up summit talks with their oil policies still unsettled and their ranks embarrassingly split on their attitude to the Arabs.
The two-day conference saw West German Chancellor Willy Brandt and Dutch Prime Minister Joop den Uyl strongly challenge a bid by French President Georges Pompidou to seize the leadership of the nine-nation group.
Pompidou, backed by British Prime Minister Edward Heath, blocked a plea by Brandt and several smaller EEC states for a common front against Arab producers using oil as a weapon to extract new political concessions.
The Europeans took time off to answer demands made by four Arab foreign ministers, who had gatecrashed the conference. The Nine warned that the Arabs cutback of oil supplies could yet boomerang on their cause. Opinion throughout the Community was turning against the Arabs, the four ministers were told, and the capacity of Europe to help in Middle East development was being jeopardized.
The warning was in reply to Arab demands for more anti-Israeli actions and actions and a virtual request for an Arab-European pact. French Foreign Minister Michel Jobert reported.
The Arabs presented their demands at a quickly arranged meeting with Mart foreign Ministers at midnight on Friday.
Later Mr. Jobert, briefing newsmen, said the Arabs talked and the Europeans listened. What they heard, Jobert said, was a demand for "as broad and as full a conversation as possible between Europe and the Arab states."
Asked if this meant a pact, Mr. Jobert answered, "this was the idea." In addition, he said, the Arabs wanted Europe to go beyond the pro-Arab Common Market statement of November 6 urging an Israeli withdrawal.

SADAT-KISSINGER AGREE Separation of forces tops Geneva agenda

Sadat rules out direct talks
CAIRO (AP). — President Anwar Sadat said Friday Egypt would not negotiate directly with Israel at the Geneva peace conference.
After meeting four hours with U.S. Secretary of State Henry Kissinger, Sadat said Egypt was willing to be in the same room with Israeli representatives "but if you are talking about direct negotiations, the answer is no."
Sadat also told newsmen he hoped the two sides would be able to bargain seriously about disengagement of Egyptian and Israeli armies before Christmas.
Sadat said a disentangling of forces on the Suez front should be the first issue taken up and Kissinger agreed it was a "principal subject for the first phase of the talks."
Sadat and Kissinger spoke to newsmen at the President's country retreat 17 miles north of Cairo.
Sadat was reminded that Israel has said there can be no meaningful negotiations before its elections and the formation of a new government.
"The Israeli elections are Israel's problem," the President replied. "We are going to this conference. Let us hope we go in peace."
Sadat hinted there could be some progress before the conference on the issue of war prisoners held by Israel and Syria.
Referring to an exchange of prisoners lists, Sadat said, "I think my colleague President Hafez Assad of Syria will see to that."
U.S. officials earlier said they expected the first round of the peace conference to be largely ceremonial, with substantive issues tackled after Israeli elections December 31.
Shortly after his first meeting with Sadat, Kissinger discussed all the aspects of the conference with Vladimir Vinogradov, the Soviet Ambassador in Cairo.
He also had breakfast Friday with the British and French envoys to the Egyptian capital. Sources indicated this latter session was in keeping with a pledge Kissinger made in Brussels last week to keep the Atlantic allies informed on the Mideast peacemaking process.
Senior U.S. officials said the American approach to the conference was in keeping with Kissinger's diplomatic style of tackling resolvable issues first. Complicated political problems such as the future of Jerusalem and the Palestinians will be left for later phases of the conference.

Geneva awaits word from Jerusalem

By ARI RATH and ANAN SAFADI
Jerusalem Post Correspondents
GENEVA. — A senior Egyptian delegation is expected here today, despite uncertainty over the actual opening of the Middle East peace conference. All eyes here were turned to today's meeting in Jerusalem between U.S. Secretary of State Henry Kissinger and Israel's top government leaders which will attempt to break the present deadlock.
A small group of Egyptian diplomats has already taken up residence at the Geneva Intercontinental Hotel opposite the projected conference site at the Palais des Nations on Avenue de la Paix, in preparation of the expected arrival today of the senior Egyptian delegation. They joined scores of journalists from all over the world, assembled here.
As to a Syrian presence in preparation for the conference, this seemed to depend on the outcome of yesterday's unexpectedly long talk between Dr. Kissinger and President Hafez Assad. According to initial reports here, Assad had not yet given a clear undertaking that Syria would in fact join the conference at the opening stage.
Meanwhile, Red Cross headquarters are awaiting any sign that the list of surviving Israeli prisoners of war held by Syria would be submitted before the conference opens.

Syrian talks extended four hours

DAMASCUS (UPI). — U.S. Secretary of State Henry Kissinger left for Amman last night after extending his talks with Syria's President Hafez Assad for nearly four hours longer than scheduled. The two men were originally due to meet for two and a half hours.
Kissinger left at 11 p.m., instead of at 7 p.m. He will visit Beirut after Amman, on his way to Israel today.
Assad was grim-faced when he shook hands with Kissinger as the U.S. Secretary of State entered an ornate sitting room in the Damascus Presidential Palace for what was considered the most difficult meeting of his Middle East tour.
Analysts believe Kissinger's main intention was to convince Assad that Syria should attend the Geneva conference and that it should provide a list of the 102 Israeli prisoners believed in Syrian hands.
Dr. Kissinger flew into Damascus Airport from Saudi Arabia aboard his U.S. Air Force plane at 1:45 p.m., to be greeted by the Syrian Foreign Minister, Abdul Halim Khaddam.
He became the first U.S. Secretary of State in 20 years to visit Syria, which had had no diplomatic relations with the U.S. since the 1967 war.
The prolongation of the Damascus talks delayed Kissinger's departure for Amman. He is due to visit Jordan and Lebanon before arriving in Israel today.

n's goodwill by in Egypt

Japanese Deputy Prime Minister Miki met yesterday with Egyptian counterpart, Abdel Nasser, but details of the meeting were not immediately available. The meeting was part of a goodwill mission to Egypt. Miki is expected to visit Egypt for several days. The mission is aimed at strengthening relations between Japan and Egypt. Miki is expected to meet with other Egyptian officials and to discuss various issues of mutual interest.

After Riyadh talks U.S. officials hopeful oil ban will be eased

RIYADH, Saudi Arabia (AP). — Officials travelling with U.S. Secretary of State Henry Kissinger say the Arabs may resume limited oil shipments to the U.S. next month, but only if the Geneva peace talks show some progress.
The odds of the oil embargo being lifted next week are less than 50-50, but if you put it in terms of next month, the odds are better than 50-50, an official with Kissinger said Friday after the Secretary met for 1 1/2 hours with King Faisal of Saudi Arabia. Saudi officials suggested privately Friday that a strong U.S. call for big Israeli troop pullbacks would help get the oil flowing.
Kissinger arrived in Riyadh from Cairo and spent the night in the Saudi capital before proceeding to Damascus yesterday for talks with Syrian President Hafez Assad.
Meanwhile, the "Los Angeles Times" reported yesterday that Saudi Arabia's Oil Minister Sheikh Ahmed Zaki Yamani wants the Arab oil embargo eased as a gesture of good faith for the Middle East peace talks, perhaps as early as next week.

But Faisal said unyielding on embargo

RIYADH (UPI). — Saudi sources have said Dr. Henry Kissinger tried, but failed, to get King Faisal to agree to lift the embargo on oil shipments to the U.S. when the Geneva conference opens.
The sources said King Faisal insisted the embargo would be lifted only when Israel has started withdrawing from all Arab territory occupied during the 1967 Arab-Israeli war, under an American-guaranteed agreement.

C-o-L INCREASE LIKELY Prices rise 4.4% in November

Economic Correspondent
Up in November by 4.4 per cent, despite a pronounced slack in demand since the war started.
Grey cement (which appears in the Index of Output Input Prices for Residential Housing) rose during the month by 31 per cent, compared with October. During the course of November, the price rose by half (due to two successive price increases announced by the Government).
Anticipating the request of the Histadrut for full C-o-L allowances next year, Finance Ministry sources indicated that the economy must be given a chance to absorb the shock. It is recalled that the allowances paid in 1971 did not reflect the increase in the C-o-L index that followed the emergency taxes introduced in August of 1970, and it has been suggested that the same principle be followed this time too, as a great deal of the rise in costs is due to extra taxation caused by the war.
The Histadrut has not taken a stand on the issue, except for the statement by Acting Secretary-General Yoram Meisel last week that the full payment of C-o-L allowances was "the best way to assure industrial peace." Negotiations on C-o-L allowances are scheduled annually in the second half of January, immediately after the Statistics Bureau publishes its final figures.
If, as has been urged, national wage agreements are extended for a year, the Histadrut may insist that the C-o-L allowances reflect the full scale of the rising costs.

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Ramallah school closed for subversive activity

Jerusalem Post Reporter
The Ramallah District military governor yesterday closed down the Bir Zeit College near Ramallah until further notice, for serving as a centre of agitation and subversive activity. In Jerusalem, police briefly detained 11 of a group of over 100 East Jerusalem women who staged an illegal march protesting last week's expulsion for subversion of eight West Bank and Jerusalem notables.

The 250 students at Bir Zeit College have staged strikes several times on nationalist grounds, the most recent being last Wednesday, when they and some of the faculty demonstrated on campus in support of the terrorist organizations. For several years they have brought out an illegal pro-terrorist newspaper called "al Radir" (the Little Stream).

After the I.D.F. raid on terrorists in Beirut they staged a demonstration in memory of the three terrorists slain there. (One of the three, Fatah spokesman Kamal Nasser, was a cousin of the college's principal.)

The military government spokesman, Rav-Seren Rafael Horowitz, said yesterday that the college administration had been warned several times, but that the "irritating and inciting atmosphere" had not been stopped. He noted that several Bir Zeit students have been arrested in the past for taking part in terrorist activities.

The Bir Zeit College is a private two-year junior college owned by the Nasser family of Ramallah. Seventy of its students are girls.

In the Jerusalem incident, over 100 women staged a sit-down at 11 a.m. near the Red Cross office in East Jerusalem's A Zuhra Street. A delegation of strikers met the Red Cross representatives and demanded the return of the eight women expelled.

At about noon the women moved down A Zuhra Street bearing placards protesting the deportation. They were met at Salah Eddin Street by policemen, who asked them to stop. When they refused, the police arrested 11 in the front ranks, among them the wife of ex-Jordanian Defence Minister Anwar Nusseibeh and the wife of one of the deportees, Jerusalem attorney Abdul-Mohsin Abu Maizer.

The Jerusalem police spokesman, Nitzan-Mishne Avraham Turgeeman, said yesterday that the police used no force and that the arrested women had been questioned and then released at 3 p.m.

Two other sit-downs were held yesterday in Nablus to protest the deportations, at the Municipality and at Najaf College. Former Nablus Mayor Hamdi Kana'an, who had earlier been reported to be in Beirut, took part in the sit-down at the Municipality.

Informed sources on the West Bank told The Post that the Palestine Liberation Organization is about to call a Palestinian conference for next month in Cairo. It is believed that about 160 West Bank and East Jerusalem representatives will be invited.

In dismissing the appeal, the Supreme Court stressed the gravity of the offence.

der the auspices of the UNIFC commander Gen. Silveiro. But those auspices were not felt in practice. There was no interference in the talks on the one hand, and on the other by the wider UN bodies which stand behind him. The success of the talks on some issues, and their failure on others, were not the result of UN auspices or UN intervention. Nor did the difficulties and eventual deadlock lead to UN intervention.

If the Geneva conference is to proceed on similar lines — despite any formal UN auspices ascribed to it — then it will be the useful dialogue between Israel and the Arabs states that Jerusalem hopes for.

If, however, the Arabs or the Secretary-General himself seek to introduce the Security Council as an active element, even as the arbiter of disputes or deadlocks, then Israel, say these observers, would have to reconsider its participation.

The vital question, therefore, is of U.S. and Soviet intentions rather than of the formalistic presentation of the Geneva conference. If Washington and Moscow — as is

Meir: Geneva talks to take long time

Jerusalem Post Staff
TEL AVIV. — Prime Minister Golda Meir predicted last night that the Geneva talks — if they get off the ground — will take a long time and be replete with crises. If nothing is to be gained from them, however, they will be over quickly, she added. Speaking in an All-Union TV interview, Mrs. Meir also said that in the event of real peace, Israel does not "contemplate a hermetically sealed border" but rather "secure borders that will be open to free passage of people."

The Prime Minister pointed out that despite widespread public support for Israel in the U.S., Washington had its own legitimate interests in the region. Israel should not think that the U.S. would agree with Jerusalem on every matter regarded as essential to Israel's interests, she said, "and we may even have to say no" to Washington.

"It would be superficial of me not to see the possible emergence of a struggle, but at all times we know it with a clear and great friend," she added.

U.N. Council urges that Waldheim preside in Geneva

UNITED NATIONS (UPI). — The Big Five powers yesterday refused to support a move by the nonaligned members in the Security Council to have the Geneva peace conference held under UN auspices and to propose Secretary-General Kurt Waldheim as its presiding officer.

The powers abstained from the vote and did not use their veto privileges to kill it. The resolution was adopted in a closed session of the council by 10 votes to none with four abstentions — Britain, France, Soviet Union and the U.S. China did not participate.

The development came as Waldheim announced cancellation of tentative plans to leave for Geneva last night.

The nonaligned draft was sponsored — and voted for — by Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan and Yugoslavia.

Its main purpose, diplomatic sources said, was to secure a UN role in the Geneva talks so that they would not be just a Soviet-American venture.

The main paragraph expresses its (the council's) confidence that the Secretary-General will have a useful role at the peace conference and that he will preside over its proceedings, if the parties so desire.

The resolution also noted that the peace conference "is to begin on December 18 in Geneva under the auspices of the UN." There were reports from the Middle East indicating that the conference may be delayed until December 20 and sources here said this most likely caused postponement of Waldheim's trip.

President Nixon has selected veteran Ambassador Ellsworth Bunker to be the chief U.S. negotiator at Geneva, the White House said on Friday (see page 8).

Israeli officer says Gamasy is 'gentleman'

An Israeli officer who took part in the talks at Kilometer 101 said in a radio interview on Friday that Egyptian Chief of Staff Lt. Gen. Mohamed Gamasy, who led the Egyptian delegation at the talks, proved to be a "pleasant-mannered gentleman" who took meticulous notes.

Tal-Aluf Aharon Avnon, who was recently placed in charge of Army operations at the cease-fire talks, knew when to say "yes" and when to say "no." On informal occasions, over a cup of coffee, Gen. Gamasy unbent, smiled warmly and admitted spending restless nights before the meetings and before taking important decisions, T/A Avnon said.

But, he warned, "although we couldn't have had to deal with a more man at the cease-fire talks, let's not fool ourselves. In case of war, Gen. Gamasy will show other qualities as well. He will want to be at least as good a Chief of Staff as his predecessor."

Aluf (res.) Shmuel Eyal, who also took part in the Kilometer 101 talks with the Egyptians, said on Friday that the Egyptian delegation made no Egyptian exchanges at the talks site for fear of letting the prisoners see how much Egyptian territory Israel now holds.

MADE OFFER
Mr. Eyal, who recently resigned to run as a labour candidate for Mayor here, told a press conference that Israel had made such an offer at the talks. He added that the talks had begun in an atmosphere of mutual suspicion, which gradually cleared. The central issue had been that of prisoner-exchange. The Egyptians came to realize that there could be no talk of other issues until that was settled, and the Israeli officers realized how important supply to the Third Army and Suez City was to the Egyptians. "Every one breathed easier when General Gamasy pulled the list of prisoners out of his briefcase," he said.

The bargaining had been serious with neither side willing to concede too much. Mr. Eyal described Gen. Gamasy as a serious and competent professional officer marked by British training and Russian finishing.

A gift for General Gamasy, an Arabic translation of the Jewish Bible — was handed over yesterday by an Israeli liaison officer to his Egyptian counterpart at the site of the broker Kilometer 101 talks west of S.

The silver-embossed volume containing the ancient text by Rabbi Sa'adya Gaon, was by Gen. Gamasy's opposite at the talks, Aluf Al Yavir. The book was donated by Social Welfare Minister M. Haxani. Aluf Yavir was present from handing it over personally by the breaking of it over the

PERSONS who have lost or out their identity cards can get ones by submitting request to the Registrar General, Population and Immigration, Ministry of Interior, Tel Aviv. The Registrar of the Interior Ministry Deputy Director General Yehudit Huebner, reminds public that they cannot vote coming election without an I.C.

GENEVA OPENING POSTPONED

(Continued from page one)

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If, however, the Arabs or the Secretary-General himself seek to introduce the Security Council as an active element, even as the arbiter of disputes or deadlocks, then Israel, say these observers, would have to reconsider its participation.

The vital question, therefore, is of U.S. and Soviet intentions rather than of the formalistic presentation of the Geneva conference. If Washington and Moscow — as is

still believed in Jerusalem — seek basically to minimise extraneous interference at Geneva, through the Security Council or Dr. Waldheim, then the conference will possibly develop on the lines that Dr. Kissinger and Mrs. Brezhnev originally mapped out. In their agreement of October 22, enshrined in Security Council Resolution 233, they spoke of "appropriate auspices" for the Geneva Conference — and meant their own exclusive auspices. Dr. Waldheim was to attend as an observer — to keep the "rest of the world" out as much as to represent it.

Despite subsequent changes, and the allotment of a more prominent formal role to Dr. Waldheim, the basic U.S.-Soviet intention may have remained unchanged.

This is the assessment of officials in Jerusalem — and they hope to verify it in the talks with Dr. Kissinger today.

Another obstacle which must be cleared on the road to Geneva is that of Syrian intransigence on the POW question. Yesterday there was no movement on this issue reported from the Syrian capital, where Dr.

Kissinger met President Assad and senior officials. Israeli sources said that on this point too they could only await Dr. Kissinger's arrival — and hope he had news of a breakthrough.

The Israeli Cabinet has resolved not to sit at a peace conference with Syria unless and until Syria issues lists of the Israeli prisoners in its hands and allows Red Cross representatives to visit them.

Dr. Kissinger will meet twice with Premier Meir — once this afternoon and again tomorrow morning. He will confer too with Ministers Yigal Alon, Moshe Dayan and Abba Eban and will dine to night at Mr. Eban's residence in Jerusalem.

U.S. Ambassador Kenneth Keating met with the Prime Minister yesterday and on Friday morning to report to her on Dr. Kissinger's talks in Arab capitals and relay Israel's latest thinking to the Secretary.

Preparations have been made at the King David Hotel in Jerusalem for the Secretary to hold a press conference — probably this evening.

MART DIFFERENCES ON ARABS

(Continued from page one)

ing that the oil weapon might cause the Arabs damage in the long run. The Community undertook to study the Arabs demands more closely in the future.

Some of the Europeans suspected France and Britain of seeking secret deals with the Arabs to secure their oil supplies.

Summit sources said French Foreign Minister Michel Jobert and British Foreign Secretary Sir Alec Douglas-Home had acted as advocates for the Arabs within the conference. Resentment grew yesterday among other delegations, not only against the Arab gatecrashing, but the British-French tactics.

The West Germans in particular are "hopping mad," the sources said, especially over an incident at the meeting early yesterday. The

sources said the Arabs arrived 45 minutes late. Some foreign ministers wanted to leave, they said, but were pacified by Jobert and Douglas-Home.

When the two-hour meeting ended, the Arabs left and Jobert and Douglas-Home unexpectedly left with them. The other seven European ministers waited for 20 minutes, the sources said, then left in disgust.

The European leaders, having lost much time over the Arab interlude, yesterday raced against time to tackle at least some of the problems they had set themselves to consider at the two-day meeting.

They agreed to push determinedly for greater European unity and a joint voice in world affairs as a safeguard against a feared superpower condominium, conference sources reported.

They agreed to have more summits to coordinate policy and set the next meeting for May or June of next year in Bonn.

The European leaders also agreed on flexible arrangements for joint "crisis management" but by-passed French President Pompidou's reported plan for a "European Security Council" to act as a political directorate in emergencies.

Mr. Pompidou refused the promptings of his colleagues, including British Foreign Secretary Douglas-Home, to respond positively and precisely to the initiative of U.S. Secretary of State Henry Kissinger on the world oil crisis. Kissinger called last week for a global onslaught on the problem, with action inside of 90 days.

(AP, UPI, Reuters)

BIG CROWD SEE MACCABI WIN TEL AVIV DERBY 1-0

Jerusalem Post Sports Reporter
TEL AVIV. — A crowd of 20,000, the largest soccer turnout this season, saw Tel Aviv Maccabi beat Tel Aviv Beitar 1-0 at the Bloomfield Stadium yesterday.

League Leaders Kfar Saba Hapoel scored a 1-0 win over Jerusalem Beitar in the Capital, dropping Beitar down to 8th place in the table.

Netanya Maccabi pulled off a 3-0 win in Beersheva, moving into third place. Snei Yehuda, the newcomers to the National League this season, returned their fourth draw in four matches, holding Jaffa Maccabi to 0-0.

Hadera Hapoel and Petah Tikva Hapoel brought off 1-0 away wins in Haifa and Ramat Gan, and in the eighth National League games yesterday the only home win was scored by Haifa Hapoel, 1-0 winners over Petah Tikva Maccabi.

In the Rehovot Derby, between first and second placed teams of League "A", Sha'arayim Maccabi emerged 1-0 "away" winners. The match between first and second in the Northern division, Safad Hapoel and Kiryat Ata Hapoel, ended in a 2-2 draw in Kiryat Ata.

Tel Aviv Maccabi's winning goal, scored by Dror Barnur in the 64th minute, was hotly disputed. Hapoel players and fans claimed that Barnur was outside when the ball reached him from among a group of players and fans claimed that Barnur's shot beat Bejerano and referee Moshe Ashkenazy allowed the goal.

Maccabi had the edge, and twice went very close to scoring through Vicky Peretz in the first half and Rahamin Talbi who hit the crossbar a minute before the end. Maccabi keeper Michael Kadosh saved his goal by diving at the feet of Michael Lapidon midway through the second half. Otherwise this was one of the poorer Tel Aviv derbies of recent years.

Five thousand at the YMCA stadium in Jerusalem saw a goal by Avraham Marchinsky in the 24th minute give Kfar Saba Hapoel both points. Marchinsky took the ball from Arzi Ben Yacov to find the net with 15 more cross-shot. Jerusalem Beitar made the mistake of keeping the ball in the air, thus playing into the hands of the tall Kfar Saba defence. Yoram Mor, the Kfar Saba stopper, played an outstanding game.

Thirty-seven-year-old veteran goalkeeper Sevan-Levi was brought into the Jerusalem Hapoel team

after only two days of training — and played an outstanding game to enable Hapoel to draw 1-1 against Tel Aviv Beitar at the Bloomfield Stadium. In the early part of the match Levin seemed out of touch, but as the game progressed he gained confidence and in the second half made several fine saves.

Tel Aviv Beitar took the lead after 15 minutes through Haim Kessler, but eight minutes later El Ben David equalized for Jerusalem Hapoel.

Beersheva Hapoel did most of the attacking against Netanya Maccabi, but were beaten 3-0 at home. The veterans George Borba, two, and Victor Saroussi scored Netanya Maccabi's goals, all in the second half. Five thousand saw the game.

Petah Tikva Hapoel yesterday followed up their 5-0 win of last week with a 1-0 away win over League champions Ramat Gan Hakoah. The score did not reflect the run of play, as Hakoah did nearly all of the attacking, but found Shmuel Rosenfeld, Yitzhak Vloaker and Eyal Haimanli outstanding in a tightly knit defence. Hapoel took their only chance to score through Gad Zaidner in the 30th minute.

A goal by Shalom Schwartz in the 82nd minute gave Hadera Hapoel both points against Haifa Maccabi, in Haifa. The home side appeared with six youth team players in their line-up and lacked drive. Haifa Hapoel saved the city's honour with a lovely goal in the 80th minute by Eli Leventhal, which put paid to Petah Tikva Maccabi.

NATIONAL LEAGUE RESULTS:
Jerusalem Beitar 0, Kfar Saba Hapoel 1; Kfar Saba Hapoel 1, Tel Aviv Beitar 1; Tel Aviv Beitar 1, Tel Aviv Maccabi 1; Tel Aviv Maccabi 1, Jerusalem Hapoel 1; Beitar Jerusalem 0, Jaffa Maccabi 0; Hadera Hapoel 1, Hakoah 0; Petah Tikva Hapoel 1, Haifa Hapoel 1; Petah Tikva Maccabi 0.

LEAGUE "A" NORTH
Netanya Hapoel 1, Shimonah 4; First Hacoah Hapoel 2, Hertzly Hapoel 1; Kfar Saba Hapoel 1, Safad Hapoel 2; Hadera Hapoel 1, Kiryat Shmona Hapoel 1; Netanya Maccabi 0, Ramat Gan Hapoel 2; Migdal Hacoah Hapoel 1, Netanya Beitar 1; Hadera Maccabi 1, Nazareth Hapoel 1; Kfar Saba Hapoel 1, Hertzly Hapoel 1.

LEAGUE "A" SOUTH
Ramat Amir Maccabi 0, Beit Shimonah Hapoel 1; Hilon Hapoel 1, Ramle Beitar 1; Marmorek Hapoel 0, Sha'arayim Maccabi 1; Yaffa Hapoel 1, Yaffa Hapoel 0; Ashdod Hapoel 1, Hilon Maccabi 0; Hilon Hapoel 1, Dimona Hapoel 1; Beer Yacov Hapoel 1, Ness Ziona 0.

NATIONAL LEAGUE STANDINGS (after four rounds):
1. Kfar Saba Hapoel 6-2 7
2. Tel Aviv Maccabi 5-2 7
3. Netanya Maccabi 5-2 7
4. Tel Aviv Beitar 4-2 6
5. Jaffa Maccabi 4-2 6
6. Hadera Hapoel 4-2 6
7. Petah Tikva Hapoel 4-2 6
8. Beitar Jerusalem 3-2 5
9. Be'er Yehuda 3-2 5
10. Hadera Hapoel 3-2 5
11. Hakoah 3-2 5
12. Tel Aviv Hapoel 3-2 5
13. Petah Tikva Maccabi 3-2 5
14. Haifa Maccabi 3-2 5
15. Jerusalem Hapoel 3-2 5
16. Kiryat Shmona Hapoel 3-2 5
17. Sha'arayim Maccabi 3-2 5
18. Ramat Gan Hapoel 3-2 5
19. Hilon Hapoel 3-2 5
20. Beitar Jerusalem 3-2 5

LEAGUE "A" NORTH LEADERS
1. Safad Hapoel 9-5 7
2. Hadera Hapoel 8-5 7
3. Kiryat Shmona Hapoel 7-5 6
4. Shimonah 6-5 6
5. Hilon Hapoel 6-5 6
6. Beitar Jerusalem 6-5 6
7. Hakoah 6-5 6
8. Tel Aviv Hapoel 6-5 6
9. Petah Tikva Maccabi 6-5 6
10. Haifa Maccabi 6-5 6
11. Jerusalem Hapoel 6-5 6
12. Kiryat Shmona Hapoel 6-5 6
13. Sha'arayim Maccabi 6-5 6
14. Ramat Gan Hapoel 6-5 6
15. Hilon Hapoel 6-5 6
16. Beitar Jerusalem 6-5 6
17. Hakoah 6-5 6
18. Tel Aviv Hapoel 6-5 6
19. Petah Tikva Maccabi 6-5 6
20. Haifa Maccabi 6-5 6

LEAGUE "A" SOUTH LEADERS
1. Safad Hapoel 9-5 7
2. Hadera Hapoel 8-5 7
3. Kiryat Shmona Hapoel 7-5 6
4. Shimonah 6-5 6
5. Hilon Hapoel 6-5 6
6. Beitar Jerusalem 6-5 6
7. Hakoah 6-5 6
8. Tel Aviv Hapoel 6-5 6
9. Petah Tikva Maccabi 6-5 6
10. Haifa Maccabi 6-5 6
11. Jerusalem Hapoel 6-5 6
12. Kiryat Shmona Hapoel 6-5 6
13. Sha'arayim Maccabi 6-5 6
14. Ramat Gan Hapoel 6-5 6
15. Hilon Hapoel 6-5 6
16. Beitar Jerusalem 6-5 6
17. Hakoah 6-5 6
18. Tel Aviv Hapoel 6-5 6
19. Petah Tikva Maccabi 6-5 6
20. Haifa Maccabi 6-5 6

Kiryat may be named after B.G.

Jerusalem Post Reporter

The Government Kiryat compound in Jerusalem will be named after David Ben-Gurion if a proposal due to be submitted today by Mayor Teddy Kollek at a municipal council meeting is adopted. Approval was being sought from the Government — in this case — although the municipality has the authority to decide.

The Kiryat — a complex of Government office buildings including the Prime Minister's Office and other Ministries, would be named Kiryat Ben-Gurion.

Several suggestions for naming Jerusalem sites after the late founder Premier have been under discussion in the past few days in the Municipal Executive.

MOADON HAOLEH, JERUSALEM

SEMINARS FOR OLIM

WAR AND THE AFTERMATH — in English

Tuesday, December 18 THE ECONOMIC SITUATION

5.30 p.m. Lecturer: Itzhak Taub

freelance journalist

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Scholars warn Israel not to give up security

Jerusalem Post Reporter

TEL AVIV. — A group of 74 visiting scholars from foreign countries all but four from the U.S. — yesterday published a declaration to stress that security guarantees, "even by great powers," were "no substitute for boundaries that Israel can defend herself." The statement was timed to coincide with the visit of Secretary of State Henry Kissinger.

The professors, who are here on study and research missions organized by the American Professors for Peace in the Middle East, warned that "even-handedness and neutrality" could cover up measures detrimental to Israel. They said that to achieve peace, both sides in the conflict must make concessions, but the basic requirement for peace is that the Arabs recognize Israel's right to exist.

American Professors for Peace in the Middle East, founded in 1967, has 16,000 members in American universities.

(See A4, page 5)

Social and Personal

President Katsir and former President Zalman Shazar were guests at Kfar Habad on Thursday evening at festivities marking the 175th anniversary of the release of the founder of the Habad movement from a Russian jail.

The new French Ambassador, Mr. Jean Herly, called Friday on Jewish National Fund chairman Yehosha Tsur at JNF headquarters in Jerusalem.

Stephen Corcoran, the new Labour Attache of the British Embassy, on Friday called on the acting Secretary-General of the Histadrut, Yehoram Meshel. Mr. Corcoran is based in Athens.

"A Palestinian State?" will be discussed by Dr. Menahem Milson, Prof. Yehoshua Porat and Prof. Michael Brecher on Sunday, December 16 at 7.45 p.m. at Beit Agron, Hill Street. This discussion is sponsored by the Association of Americans & Canadians in Israel and the Cultural Department of the Jerusalem Municipality.

ARRIVALS

Rabbi Mordechai Kirschblum, acting head of the Jewish Agency's Immigration and Absorption Department, from a tour of the U.S. to organize "Alaya Mouth" events for January. (By El Al).

THE WEATHER

Forecast: Partly cloudy to cloudy with local rain; heavy in the Negev and over Sinai.

Weather synopsis: There is a cold low over western Turkey, with a cold front reaching to the east Mediterranean.

Yesterday's Humidity: 21-23
Today's Humidity: 21-23

Jerusalem 21-23
Golan 18-20
Nabariya 23-25
Safed 18-20
Haifa 20-22
Tiberias 21-23
Nazareth 21-23
Afula 21-23
Shomron 21-23
Tel Aviv 21-23
Lod 21-23
Be'er Sheva 21-23
Dimona 21-23
Yotvata 21-23

There is no extension on last Friday's deadline for motorists getting windshield stickers indicating which car-less day they have chosen, the Transport Ministry said yesterday.

The police have been ordered to enforce the law as of today, the Ministry spokesman said. (Under the law sticker-less motorists are liable to a 115,000 fine and to having their cars towed to the nearest police station.)

Outbursts of Anti-Arab violence expected by French authorities

The police say they have never heard of the "Martel Club" but it is generally assumed it is an offshoot of the numerous splinter rightist, even neo-Fascist, parties like the banned "Ordre Nouveau" (New Order) or the reconstituted "National Front." Their main theme is "Keep France White" and there is growing support from people em-

He made the remark just before the bomb incident in Marseilles to describe the "bugging" scandal over the satirical weekly "Canard En-

People here believe the "Martel Club" will adopt I.R.A. tactics of naked violence, convinced that for the first time in years there will be substantial tacit sympathy for its anti-Arab tactics.

Writer says JFK had romance with Marilyn

‘Technological

'Technological Pearl Harbour'

Ulster death toll now 920

Ulster death toll now 920

The death raised the toll to 920 persons killed in four years of non-stop violence.

Paul Getty III and his mother, Gail Harris, face newsmen at Rome police headquarters yesterday shortly after the young man's release by his alleged kidnappers. (AP radiophoto)

All not well with the Party in Lithuania

MOSCOW (AP). — Evidence of widespread disaffection with Soviet rule in Lithuania has been reported with surprising frankness recently in local newspapers reaching Moscow. The symptoms described fit the Marxist diagnosis of alienation, a malady that is supposed to afflict only capitalist societies.

Not only was the Lithuanian party membership sold out last month, but the Lithuanian State Religious Movement, which was blamed for inaction towards worker apathy, juvenile delinquency and alarming drunkenness.

Independent between the two world wars, Lithuania was annexed by the Soviet in 1940. Active resistance followed for several years afterwards, and there have been several nationalist outbursts since then, notably following the Hungarian rising in 1956, and last year, when there were bloody demonstrations by people shouting "free down with the Russians."

During the incidents in May, 1957, two persons committed suicide by fire.

RIGHT EAR IS MISSING

Young Getty freed after five months

front of the French Embassy in Piazza Farnese in Old Rome, following a quarrel with three friends.

At the Lagonero Carabinieri Barracks, a doctor examined him and his bandaged wound where his ear had been. The doctor said he was apart from numbers from the 1st, Getty was in good physical condition,

POPE AND BOURGUIBA DISCUSS JERUSALEM

VATICAN CITY (AP).— Pope Paul VI discussed the Middle East crisis on Friday with Habbib Bourguiba, and the Tunisian President said the Pontiff reiterated his proposal for the internationalization of Jerusalem.

Bourguiba, however, said there are Arab countries which favour other plans for the Holy City, which is presently in Israeli hands. He said one example was the formation of a governing council which would be presided over by a Christian, a Moslem and a Jew. In substance, everything on the position of Israeli gube asserted.

Bourguiba said the pr Jerusalem was "close to t heart" and that they d number of possible solu their 50-minute meeting a tian



Communist ambush kills Vietnam observers

WASHINGTON (AP). — The U.S. announced on Friday that seismic signals, presumably from a relatively large Soviet underground nuclear explosion, were recorded in the early morning.

hijack in '72

WEHDEN, Germany (AP). — Nine young Czechs, three of them women, were sentenced by a West German court on Friday to three to seven

Big Soviet nuclear blast recorded

WASHINGTON (AP). — The U.S. announced on Friday that seismic signals, presumably from a relatively large Soviet underground nuclear explosion, were recorded in the early morning.

Czechs jailed for hijack in '72

The highest sentence of seven years went to Jiri Beran, a 23-year-old musician, who burst into the cockpit of the Slov-Air turbo-prop plane with Adamica on June 8, 1972. In the ensuing struggle, the 52-year-old pilot, Jan Mliska, was killed and his co-pilot injured.

Buckley said the Russians might develop a totally new concept which the U.S. scientific community never had the opportunity to discover because of lack of funds.

Ulster death toll now 920

The death raised the toll to 920 persons killed in four years of non-stop violence.

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הכרזה מן הישראל

A STATEMENT OF CONCERN

By Foreign Professors Visiting in Israel During 1973-74

Israel and its Arab neighbours are in an uneasy state of cease-fire while both sides bury the dead of another costly conflict. We can testify from first hand experience that this war came as a complete and shocking surprise to Israel on the holiest day of the Jewish year, breaking a cease-fire in violation of all the tenets of international law.

As visiting members of the academic community, who represent a broad spectrum of views, we welcome all efforts towards a just and durable peace. We should like to express our views on some factors that may effect these efforts towards peace.

1. We affirm our belief that lasting peace can only be attained if the Arab states acknowledge Israel's right to exist and are willing to enter into relations with her. The repeated Arab demand for a return to pre-1967 boundaries is a tactic in an overall strategy for the destruction of Israel and is not a basis for peace but a prelude to future wars.

2. Mindful that permanent recognized borders between Israel and the Arab states did not exist between 1948 and 1967, we believe that peace will be durable only if Israel is guaranteed recognized borders that will permit her military security in light of the lessons learned from the Arab surprise attack.

Security guarantees by other nations, even great powers, who must inevitably pursue their own national interests, are no substitute for boundaries that will enable Israel to defend herself.

3. The nations of the world—above all the great powers—must act responsibly to help achieve and maintain peace. The Middle East must not be made into a proving ground of new weaponry, nor should outside powers encourage hatred and war. These nations should recognize at last that surrender to blackmail of any sort only leads to further blackmail.

4. "Evenhandedness" and "neutrality," while desirable in many instances, must not become anti-Israel measures. Israeli prisoners of war must be accorded the same protections as Arab prisoners. Israeli ships must have the same freedom of navigation as other ships. Moreover United Nations forces composed of troops from nations which do not maintain relations with Israel cannot be considered "neutral."

5. The Arabs of Palestine should be able to work out a just and equitable settlement of their differences with Israel. The last six years have shown that the two peoples can live side by side peacefully and constructively and this should serve as a basis for the future.

We recognize that both sides in the conflict will have to make some compromises if peace is to be attained. All too often international declarations make demands on only one side, namely Israel. An atmosphere in which compromise becomes possible can be created only if each party is able to feel sure that the other is acting in good faith. We call on both sides to make a new and sincere effort to find a way to a lasting peace settlement.

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HEATH EP ZZLES ITONS

the Premier less
totally candid?

By DAVID LYNON

Jerusalem Post Correspondent
— Prime Minister Edward Heath's
move in declaring a three-day
week to conserve energy has left
the nation at a loss. Only a few
of his Cabinet colleagues
understand that all was re-
lief. Then he suddenly announced
restrictions which, if applied for
a few weeks, could prove dis-
astrous to the country's economy.
Heath's declarations most people
thought the problem facing the country
was the Arab oil embargo, plus
balance of payments deficit.
Heath appeared in a broadcast to
say that the problem in fact
was the coal miners. He said
decision not to work overtime had
0 per cent cutback in coal supplies
electricity generating stations. This
meant a parallel cut in energy sup-
ply to the nation's industries, and thus he
the three-day week.
The coal miners, Joe Gormley,
saying that the Prime Minister
to blame all the nation's troubles
on men who were working a full
week, and who had simply decided not
to work, as was their legitimate right,
went on to say that he could not
what the government was talking
there was plenty of coal stockpiled.
He had a point, particularly as
miners went on a total strike for
almost two years ago there had
been a drastic reaction by the Heath
of the matter is that Heath was
than totally candid, when he said
crisis in Britain was solely the
coal miners, and to a lesser extent
drivers, whose work to let meant
of coal to the power stations
disrupted.

banker enced in scandal

Switzerland (AP). —
Erasmus Key, a Swiss
banker, was found guilty of fraud,
dishonest business prac-
tices and sentenced to
imprisonment.
The sentence by the
Federal Tribunal had no
national effect on Er-
asmus in the U.S. after
October 1.
He sold American among
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of \$53.4m.
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was not guilty of the
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ACTS ON TS DEFICIT

Japan yesterday
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for Cairo
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lend a \$25m loan
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the newspaper
said yesterday.
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Homeward-bound commuters stand packed like sardines against train platform
barriers at Liverpool Street Station in London — waiting for the few trains running
during the railmen's go-slow. (AP radiophoto)

Under normal circumstances there really
would not have been any need for such a sharp
reaction by the government over a miners'
strike. Two years ago when the miners' strike
was total, some of the energy production short-
age was made up by increased energy genera-
tion from oil-fired power stations. Because of
the Arab oil embargo, the country's oil-fired gen-
erators are also struggling to maintain normal
production levels. The real crisis has been
caused by the strikes coming on top of difficul-
ties caused by shortages. The miners' action
could have been absorbed by an economy which
was otherwise functioning normally.
However, the current international oil crisis
has presented the Heath government with a
golden opportunity to try to put the miners
in an untenable position. They had the temer-
ity to challenge the wage ceilings imposed by
Stage Three of the government's economic
policy, and looked all set to break through the
government restrictions.
With fairly widespread public support, the
miners looked unchallengeable, until Heath de-
clared last week's drastic new measures.
A large number of leading industrialists
have already warned that if the curtailment
of the working week continues for even as
much as a month, then unemployment could
increase dramatically, shortages of virtually
every commodity would develop, production
for export would be hit, and a myriad of other
ailments would develop in the economy.
The nation is now waiting anxiously to hear
what measures the Chancellor of the Exchequer
will announce tomorrow to deal with the real

ills of the economy. He must act to redress
the disastrous state of the balance of pay-
ments. He will also have to cut domestic
purchasing power so that imports can be reduced.
One way, will be through direct and indirect
taxation.

One essential aspect of this action by the
Chancellor is that the taxman must be seen
to hit hardest those best able to afford it. In
addition, say experts, if he is wise he will
set to curb the raging inflation which has
led to a 10 per cent increase in the cost of
living over the last year.

This is perhaps the only real way to curb
the wage demands of the miners and the mil-
lions of other workers waiting in the wings.
Their standard of living has been seriously
affected by the soaring prices which have hit
the country in the past year, and they are
seeking redress. They refuse any longer to
tolerate a situation where their wages are
pegged back while prices seem to rise without
restraint.

When Edward Heath called for national unity,
he forgot that the battle today is between
Britons. The economic crisis has many ele-
ments of class warfare and these make ap-
peals to patriotism less than totally acceptable.

The rigidity of Heath's wages policy seems
strangely unreal at a time when the Arab
masters of Europe are facing the country and
the West with a real crisis. He might well
advised to reverse his policy of flexibility
towards the Arabs and rigidity towards the
British workers, because it is the oil sheikhs
who pose the real threat in the final analysis.

Spectre of rationing sends Britain on buying spree

LONDON (UPI). — Shoppers
frightened by the prospect of ra-
tioning yesterday overwhelmed
stores throughout the country in a
historic pre-Christmas buying spree.
Department store managers said
they expected to ring up record
sales in what one called a "spend
and forget" buying binge.
The outbreak of buying came in
reaction to Prime Minister Edward
Heath's decision to impose a three-
day work week on factories and
stores and reduce electricity to other
commercial users by 35 per cent
to avert a total breakdown in Bri-
tain's power supplies, businessmen
said.
They said the public generally be-
lieves these measures will severely
curtail production and lead to wide-
spread shortages and possible ra-
tioning in the new year.

MODERATE DECLINE IN N.Y. STOCKS

NEW YORK (AP). — A series of
moderate ups and downs resulted in
a moderate decline in the New
York stock market this past week,
despite a rally near the close on
Friday.
Analysts said the market was
plagued for most of the week by
political uncertainties and fears
about the world energy shortage.
So by Thursday the widely watched
Dow Jones average of 30 industrial
stocks was hovering at the 800-point
level, considered by many to be an
important psychological level.
But on Friday when word came
from a member of Secretary of
State Kissinger's Middle East de-
legation that there was a 50-50 chance
of an end to the Arab oil boycott by
January, the Dow Jones average
jumped 15.22 points. Still, for the
week, this index was down 22.43
points, closing at 815.62.
Declining issues on the big board
topped those that gained. Trading
volume was 95.01 million shares
compared to 102.61 million the pre-
vious week. Stocks hitting new
lows for the year totalled 876,
against only 35 setting new highs.
Auto issues, subject to investor
fears about fuel shortages, took
losses for most of this past week
but were on their way up again by
Friday.
The Associated Press 50-stock
index closed down 3.5 points to
270.4. Standard and Poor's 500-stock
average was down 3.22 to 83.29.
Trading in IBM stock was halted
on Friday on the American Stock
Exchange because of an order im-
balance. Later, Memorex, an over-
the-counter stock, announced it had
filed an antitrust suit against IBM,
charging the giant computer com-
pany with anti-competitive practices.
Among the gamblers in Friday's
session were international oil stocks,
pushed higher, analysts said, by
news reports from the Mideast.

Memorial coin market down

Jerusalem Post Reporter
TEL AVIV. — The bottom is falling
out of the memorial coin market,
according to several dealers.
For example, the three-coin gold
set commemorating the 25th an-
niversary of the founding of the state
now sells for IL3,800, while a
short time ago it sold for IL5,500.
Other coins have suffered much
worse, with the value of some of
them falling by as much as 50 to
60 per cent.
The dealers explain that the fall-
ing prices are due to the lack of
tourists, and the fact that the small
market abroad has almost completely
dried up. Moreover, they claim that
many of the dealers, by "talking
up" prices, talked them up much
higher than the market could bear,
and the inevitable reaction set in.
However, all the coins are still
selling for more than the price paid
for them officially.

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and the inevitable reaction set in.
However, all the coins are still
selling for more than the price paid
for them officially.

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SPOT RATES			
	2.3068/75	per £	
	2.6455/75	per \$	
Sw. Fr.	3.1935/75	per \$	
Fr. Fr.	4.55 1/2 / 4.5600	per \$	
	4.69 1/2 / 4.70 1/2	per \$	
	603 3/4 / 606 1/2	per \$	
Bel. Fr.	40.19 / 24	per \$	
Dutch Fl.	2.7975 / 80	per \$	
Yen	279.55 / 280.05	per \$	
Price:	\$103 / 104		
FORWARD RATES			
1 Mo.	3 Mos.	6 Mos.	
L/S	2.3803/23	2.5453/53	2.5303/23
DM/\$	2.4475/510	2.4950/525	2.6450/55
Sw. Fr./\$	3.1955/505	3.2005/504	3.2655/515

Question of admissibility of evidence RAPE APPEAL DISMISSED

The Supreme Court dismissed an
appeal against a conviction, and
partly allowed an appeal against a
sentence, delivered by the Tel Aviv
District Court on March 15, 1973
(in Cr. C. 527/72).

The appellant, Mordechai Shm-
man, was found guilty by the Dis-
trict Court of rape, unlawful de-
tention and causing grievous bodily
harm, and was sentenced to twelve
years' imprisonment. The evidence
of the complainant, a temporary
resident, was heard separately by
Judge Gavison before the trial took
place, and immediately thereafter
the complainant left Israel to re-
turn to her country of origin. Judge
Gavison subsequently served as the
presiding judge on the three-man
bench of the trial court.

In the appeal against the District
Court's verdict, the appellant
argued, *inter alia*, against
the admissibility of the complain-
ant's testimony taken before the
trial by one judge only.

Section 106 of the Criminal Pro-
cedure Law, 1965, provides that:
"Where an information has been
filed with a court, the court may, on
the application of a party, take the
testimony of a person forthwith if
it considers that his testimony is
material to the clarification of the
charge and that there is reasonable
cause for believing that it will not
be possible to take it in the course
of the trial." Section 110 lays
down that testimony taken in the
above manner "may be adduced as
evidence at the trial if it is not
possible to produce the witness at
the trial; and if it is admitted it
shall be deemed to be testimony."

Section 206 provides that: "Where
the court consists of three or more
judges, every power vested in the
court by this Law... shall, so long
as the court has not been consti-
tuted, vest in every judge of the
court..."

Mr. Y. Atzmon appeared for the
appellant and Mr. Rodan, Assistant
State Attorney, for the State.

Justice Berenson, who delivered
the main opinion of the Supreme
Court, Justice Witkon concurring,
held at the outset that there was no
doubt that the conditions precedent
to the application of section 106 of
the Criminal Procedure Law had
existed in the present case. For no
one disputed the fact that the com-
plainant's testimony had been mate-
rial, while the fact that she is not
a permanent resident of Israel and
was on the point of returning to her
country of origin made it reason-
able to presume that it would not
be possible to bring her specially to
Israel for the purpose of giving
testimony at the trial itself.

Turning next to the appellant's
argument that the victim's testi-
mony should, in accordance with
section 106, have been heard by all
three judges, Justice Berenson held
that it was unfounded, as section
206 of the Law expressly provides
that where the three-man court has
not yet been constituted, then a
single judge of the court has the
same powers as those vested in the
three-man bench. As, therefore, the
trial court had not yet been con-
stituted when the witness was due
to leave the country, any judge had
been entitled to hear her testimony
forthwith. It may be preferable, as
the appellant had argued, continued
Justice Berenson, that the testimony

In the Supreme Court sitting as
Court of Criminal Appeals
Before Justices Berenson,
Witkon and Etzioni
Mordechai Shmman, Appellant, v.
State of Israel, Respondent (Cr. A.
252/73).

LAW REPORT

Edited by Doris Lankin

SUNDAY, DECEMBER 16, 1973

PRELIMINARY EVIDENCE OF ABSENTEE WITNESS ADMITTED AT TRIAL

of the witness before the trial be-
cause of a full complement of the
court and not by one judge only,
particularly when that testimony is
vital to the issue. But if the legis-
lature in its wisdom saw fit to
vest only one judge with the power
to take that testimony (and even
if that judge did not later sit on the
trial bench) there was no way of
constructing the law as meaning that
whenever the need to take testi-
mony forthwith arises the trial
court must be immediately consti-
tuted in order to hear that testi-
mony.

Justice Berenson then went on to
discuss the appellant's argument
that section 110 provides that testi-
mony taken before the trial may be
adduced as evidence at the trial
only if it is not possible to produce
the witness, and this had not been
proved in the present case. In dis-
missing it, he noted that the im-
possibility referred to in this sec-
tion is not absolute, but relative,
in accordance with the circum-
stances, holding that any other con-
clusion would be incompatible with
the aim of doing justice. As, there-
fore, the State could not be ex-
pected to bear the cost of bringing
the witness from abroad to testify
at the trial, the production of the
witness was impossible in the cir-
cumstances. Nor could he accept the
argument, continued Justice Beren-
son, that the prosecution should at-
tempt to prove that it had con-
tacted the witness abroad and asked
her to come and testify but had
met with a refusal. For the pro-
secution has no means of getting
the address of a person living
abroad. In the circumstances, there-
fore, he thought it sufficient that
the prosecution had attempted to
get in touch with the complainant
through her lawyer in Israel and
had been informed that she had
left the country and could not ap-
pear at the trial, and had proved
to the satisfaction of the District
Court that the witness had in fact
left the country and had not re-
turned by the time of the trial.

Having held that the witness'
evidence had been admissible, Jus-
tice Berenson went on to note that
it had been corroborated in every
detail and that, therefore, the ap-
peal against the conviction should
be dismissed. On the other hand,
Justice Berenson felt that the sen-
tence of 12 years imposed on the
appellant should be changed to eight
years' actual imprisonment and
four years' conditional imprison-
ment.

Justice Etzioni, in concurring with
his colleagues that the appellant's
appeal against his conviction should
be dismissed but that his sentence
should be lightened by suspending
four years of it, held that he for
his part would not have based the
appellant's conviction on the evi-

ence of the complainant as he
thought that the circumstances did
not warrant the taking of evi-
dence forthwith, within the mean-
ing of section 106.

In explaining this conclusion,
Justice Etzioni noted that one of
the main fundamentals of criminal
law is that testimony should be
heard by the judges who decide
the fate of the accused. Every pro-
vision of law, therefore, which per-
mits of the admissibility of evi-
dence which was not heard by the
trial judges is an exception and
the conditions precedent to the
hearing of such evidence must be
meticulously observed to compen-
sate for the trial court's loss of the
advantage of first-hand experience
of the witness' demeanour (see also
Harnon on Laws of Evidence, 2nd
ed. p. 452). In the case under con-
sideration, however, he continued,
serve meticulously all the condi-
tions provided for in sections 106
and 110. For, amongst other things,
though it could be presumed from
the evidence before the District
Court that the witness was not in
Israel, no proof had been adduced
to show that the prosecution had
done everything possible in order
to bring her to the court to testify.
In this context, he said, he dis-
agreed with his colleagues' opinion
that if the bringing of a witness
to testify involved heavy expenses
to the State, then the State was
not obliged to undertake such a
burden in order to fulfil the duty
imposed on it by section 110 of
the Law. For he thought that fi-
nancial considerations were not re-
levant when there was a question
of doing justice to an accused. He
agreed, continued Justice Etzioni,
that the impossibility referred to in
section 110 was not absolute and
that each case should be considered
on its merits. But it was clear to
him that in order to fulfil the duty
imposed by that section, the pro-
secution should at least have to
show that it had made every effort
to bring the witness to testify at
the trial, without success, and this,
in his opinion, the prosecution in
the present case had failed to do.

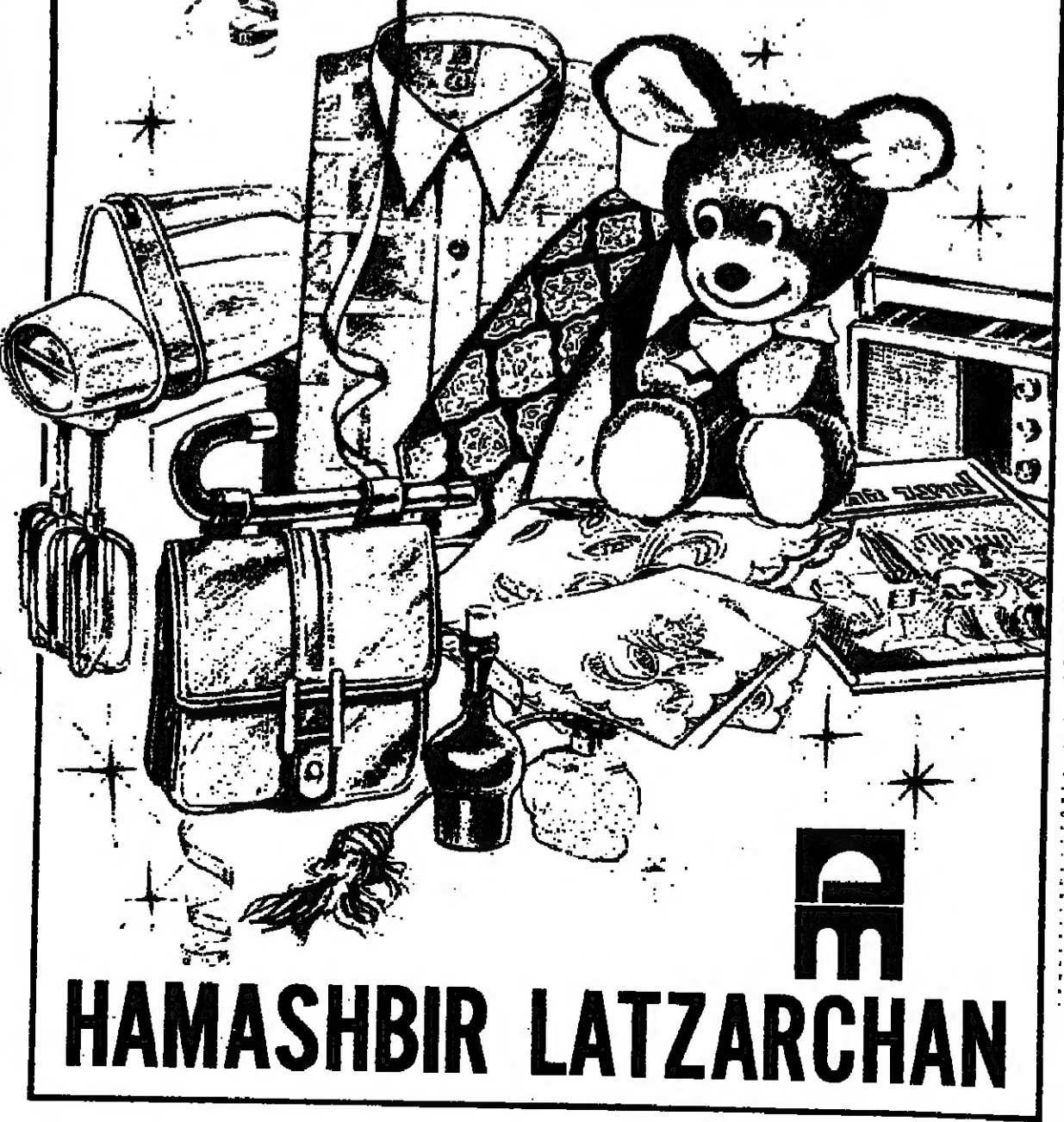
However, concluded Justice Etzi-
oni, although he thought that the
complainant's testimony taken be-
fore the trial should not have been
admitted as evidence at the trial,
nevertheless he did not think that
any injustice had been done to the
appellant as he could have been
found guilty of the offences with-
out the evidence of the complainant,
the other evidence before the court
having been sufficient for a con-
viction.
Appeal against conviction dis-
missed.
Judgment given on November 11,
1973.

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GENEVA THREATENED

THE prospect of peace emerging from the Geneva talks is slender enough, for the gap between the Egyptian and Israeli scenarios is wide and will not easily be bridged. But it is widely held that President Sadat does not want another war, realizing — as much of the Egyptian public still does not — that he did not win this one, and that he is interested in at least a temporary political solution. He is, in any case, eager to get something moving, and to achieve the so-called disengagement of forces before the morale of his Third Army collapses.

Just how slender the chances are has been emerging during the past two days, with France pressing for more influence for the UN in Geneva, a sure way of creating deadlock by encouraging excessive Arab demands, and Sadat himself has been producing last-minute conditions that have now already caused the opening session of the conference to be delayed by three days.

In the days when the Arab-Israeli war consisted only of Israeli civilians being murdered here and there, the world looked on with equanimity, as though such killings were only the natural price to pay for the establishment of the state. Now that most Western nations are suffering to a greater or lesser degree from an oil shortage enforced by the Arab oil producers, and there has even been the hint of a military confrontation between the two super powers, there is suddenly great anxiety for the festering wars and sub-wars of the past quar-

ter-century to cease. If Geneva is to be a peace conference, with genuine negotiations over the interests of the sides involved, there is a chance for at least a detente, and a little more oil for the lamps of Europe. If France, and Britain to a lesser degree, in accordance with its lesser weight, succeed in turning Geneva into effectively a UN session, with the kind of majority decision that Israel and South Africa, African racism and Portuguese colonialism on Friday, then the result will be nil. The UN has a Soviet-Arab majority that disregards Israel's interests and has failed totally to bring peace, agreement, detente or disengagement in the past. If France reckons its direct interests and prestige in the Middle East higher than the hope of peace, it is making a miscalculation compared to which Israel's failure to recognise the danger of war on the eve of Yom Kippur is negligible, and this is not a phrase to be used lightly in Jerusalem.

Geneva can succeed only if there are negotiations leading to a result that both sides consider preferable to renewed warfare. It is just possible that Dr. Yehoshua, the U.N. Secretary-General, understands this, and will endeavour not to throw a spanner into the works. If French envy of the U.S. and U.S.S.R. in getting the Geneva conference going destroys the talks that could still take place there, then they will break down, fighting may resume, the energy crisis will worsen, and Europe will certainly turn on France, wanting to know why this had to be so.

FOREIGN PRESS

KISSINGER'S TOUR

LONDON (UPI). — In an editorial on U.S. Secretary of State Henry Kissinger's tour of Middle East capitals, "The Daily Telegraph" said yesterday:

"For the second time in five weeks, the American Secretary of State is undertaking a quick-fire tour round the Middle East capitals. The last time he did this, it resulted in the still frail cease-fire. The present tour is designed to ensure that the planned peace conference opens in Geneva on Tuesday as scheduled. There are still serious difficulties, but on balance it looks at present as if it will be able to do so.

"Dr. Kissinger is leaving Israel until last on his calling list, and it is clearly Israel which is facing the greatest difficulties over the proposed conference. This is borne out by the fact that the Israeli Cabinet was still undecided after a five-hour meeting on Friday and will have a further meeting before Dr. Kissinger arrives. It seems clear now that the first item on the

agenda at Geneva will be the question of separating the Egyptian and Israeli forces on the Suez front. Ever since the cease-fire, these have remained dangerously intermingled, with shooting incidents every day. Israel has ignored the provision in the cease-fire resolution for their withdrawal. Israel probably wants to leave them where they are until a wider withdrawal on both sides. This would run the risk of the full-scale war re-starting.

"Another cause for concern for Israel is the fate of her soldiers taken prisoner by Syria. They are still quite unaccounted for. Syria has refused even to produce a list of their names. Unless Dr. Kissinger can change this situation during his visit to Damascus, Israel would be fully justified in refusing to sit down with Syrian representatives present in Geneva. The further main snag yet to be ironed out is how the Palestinians are to be represented. The best solution would be for them to be accommodated, if only tenuously, in some way with the Jordanian delegation."

ISRAEL PRESS

Shakeup in Egypt's army

Davar (Histadrut) lists several possible reasons for the reshuffle in the Egyptian high command: Sadat, at present, prefers negotiations to a renewal of hostilities; he is also trying to bring home to the nation the true situation on the battlefield; should fighting resume, he expects a better performance from Gamasy than from the previous Chief of Staff, Shazli. The paper finds in favour of no. 3 because Sadat has openly proclaimed that he is preserving his military option, and the ongoing series of flareups on the cease-fire lines obviously attests to direction from above.

Ha'aretz (non-party) says Shazli's part in the failure on the battlefield was no greater than that of the Minister of War, General Ahmed Ismail Ali. Hence, while the shakeup is predicated on the outcome of the fighting, it is doubtful whether it would have come out — especially at present — had Shazli

not insisted on a renewal of full-scale fighting.

Al Hamsahar (Mapam) feels it is too early to properly assess the reasons for the shakeup.

Omer (Histadrut) lists some of the problems still unresolved on the eve of the Geneva conference: From Israel's standpoint — that of our prisoners in Syria; from the Arabs' standpoint — the role to be played at the conference by the U.N., as well as Israel's failure to withdraw to the lines of October 22nd. Kissinger's present tour of the countries of the region aims to ensure that it will take place nonetheless.

"At every stage of the negotiations, Israel will require both strong nerves and wisdom. We must be both assertive enough to prevent any solutions not in our favour, and at the same time flexible enough to avoid a serious rift with the U.S."

Hatzotz (National Religious) says that of the two superpowers that can provide the suitable auspices, the sincerity of the U.S. is genuine, while, in view of the flareups past and present that they have both masterminded and fueled, that of the Soviets is open to considerable doubt.

Arvo obduracy itself would seem to hold out little hope for success. Yet the very fact of their agreement to participation in face-to-face talks is a favourable sign.

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BY the end of the first week of fighting, Israel was poised to make the breakthrough across the Suez Canal into Egypt proper. But at this point, there occurred a hiatus in Israel's military advance, making. A crucial delay developed, during which several days were lost while Israel's generals took time off to slog it out among themselves in an argument that had unpleasant personal and political overtones.

An Israeli task force under Brigadier General Sharon was ready to cross the Canal westwards and was busy establishing a bridgehead. Sharon demanded massive reinforcements of armour, so as to enable him to effect a crossing and rapidly expand his operation behind the enemy lines, thereby cutting their lines of communication now that the Egyptian 2nd and 3rd Armies were safely dug in on the east side of the Canal. But Sharon's demands were rejected by his superiors.

As soon as enough tanks were available in Sinai and the Egyptian offensive was seen to have run out of steam, Sharon wished to punch across the Canal as quickly as possible. But his superiors Maj-General Haim Bar-Lev, and Maj-General David Elazar, the Chief of Staff, counselled caution.

The situation was not helped by the fact that, for several years past, Sharon had been openly critical of Bar-Lev's concept of a static defence line along the Canal, and Sharon had been proved right. The additional factor that the two men are political opponents served to exacerbate what was already a personality conflict.

Canal crossing

According to Sharon, the argument was a political one over who should lead the crossing of the Canal. However, Gen. Elazar told me subsequently that the considerations uppermost in his mind were above all tactical.

He pointed out that although the Egyptian 2nd and 3rd Armies in Sinai had been heavily reinforced, there were still large Egyptian formations on the west side of the Canal. This force had between them more than 1,900 tanks, and this fact was a key factor in Elazar's decision to postpone the crossing. The Israeli task force had less than 600 tanks, and Elazar felt that an unfavourable ratio of more than two to one was taking too great a risk.

Sharon — who had the most recent experience of fighting Egyptians, having commanded the southern front during the War of Attrition of 1969-1970 — disagreed and told his superiors so in a few succinct words:

"I told them that I am commander of 15,000 troops and I have no time to screw you now because I have to screw the Egyptians. I

have no time to fight with you politically, but when the war is over you will have to wear helmets."

It was not until the tenth day of the war that Sharon was given the go-ahead for expanding operations into Egypt proper. But time had been lost, which was to prove critical.

The key to Israel's success in '67 had been the complete understanding by both politicians and the military of the time scale within which decisive victory had to be achieved, before irresistible pressure could be brought to bear by the Soviet Union or the U.S. Then the plan had called for the destruction of all the Arab air forces and the Egyptian army in Sinai within 72 hours.

This time, for the greater part of the first week the terms of battle had been dictated by Israel's attackers, and vital time which made Israel's shortage of 105 mm tank ammunition and 175 mm shells more critical — was allowed to elapse before Israel seized the initiative and went on to the offensive. The Israeli Army — unlike the air force — were not prepared for a war lasting 18 days; and meanwhile, massive international pressures were building up on Israel to accept a cease-fire.

Missile defences

The concentrated missile and anti-aircraft defences greatly restricted the operations of the I.A.F. and their capacity to provide close support to their ground forces in the early phases of the conflict, indeed more than half Israel's air losses were taken in the first three days on the Golan Heights. But they in no way prevented the Israeli pilots from attacking the missile batteries themselves.

A senior Israeli Air Force officer, who had himself flown several sorties against the missile batteries in Egypt, told me what it was like to be shot at with a Sam: "As soon as you get an indication (electronic) of the launch of a missile you start counting 21-22-23-24-25. At this point, you make a maximum-g manoeuvre at an angle to the missile and it passes by."

With a combination of flying technique and electronic counter measures, the Israeli pilots were able to attack the missile batteries with a remarkably low rate of loss. Throughout the whole of the war, including the close support operations on the Golan Heights, 99 Israeli pilots were returning from every 100 sorties.

All the way from the Gulf of Suez at the southern end of the Canal to the Mediterranean coast in the north, the Egyptian armies found themselves subjected to the full fury of the Israeli air attack.

During the next three days, the Israeli Air Force was hitting the Egyptian forces with more than 1,000 sorties a day. By this time,

the Egyptians had lost more than 240 aircraft, and some 150 of their best pilots, and were unable to provide desperately needed protection to their ground forces.

During the three days leading up to the cease-fire on Monday, October 22, the I.A.F. were attacking the Egyptian armies in Sinai with such force that, in the view of one senior officer, "the 2nd and 3rd Armies were by then within two days of breaking."

It was at this point that the Russians and the Americans, desperate to call a cease-fire before Egyptian resistance collapsed, made Israel an offer she could not refuse.

Soviet plan

THE Russians had conceived and master-minded — but perhaps not given the go-ahead for — the co-ordinated Egyptian/Syrian attack. They had in the initial stages encouraged Arab rulers from one end of the Mediterranean to the far end of the Persian Gulf to go forward to the battle fronts and commit their forces. They had mounted a massive military shift which flew in some 5,000 tons of replacement missiles and equipment to Cairo and Damascus in the first five days of the war, before the Americans decided to match this with their own shift. By now they had got cold feet.

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CHURCHILL'S REPORT ON THE YOM KIPPUR WAR 'The U.S. would not stand in the way of the Soviets'

The supreme lesson of the Yom Kippur war for Israel has been the crucial strategic value of the territories acquired in '67. If Israel had been faced on her pre-'67 borders with the sort of armoured concentrations that Egypt and Syria deployed in the early days of October, the State of Israel could not long survive from a purely economic point of view, having to maintain a posture of permanent mobilization to guard against surprise attack.

Had the Yom Kippur attack come under such circumstances, who could doubt that the outcome would have been very different indeed? The fact that Israel was taken by surprise proved a costly blunder on her present borders. On the pre-'67 borders, it could have meant the destruction of the State of Israel and the certainty of tens of thousands of civilian casualties. In the event, Israel's civilian casualties in the '73 war remained in single figures.

This is the conclusion drawn by Winston Churchill, a Conservative M.P., in this second and final part of the British journalist's article on the October war being published today in "The Observer."

the Egyptians had lost more than 240 aircraft, and some 150 of their best pilots, and were unable to provide desperately needed protection to their ground forces.

During the three days leading up to the cease-fire on Monday, October 22, the I.A.F. were attacking the Egyptian armies in Sinai with such force that, in the view of one senior officer, "the 2nd and 3rd Armies were by then within two days of breaking."

It was at this point that the Russians and the Americans, desperate to call a cease-fire before Egyptian resistance collapsed, made Israel an offer she could not refuse.

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